

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

STEVEN E PROFFITT
Claimant

**PRAIRIE MEADOWS RACETRACK &
CASINO**
Employer

APPEAL 14A-UI-06938-LT
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/01/14
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

The claimant filed an appeal from the June 26, 2014, (reference 01) unemployment insurance decision that denied benefits based upon a discharge from employment. The parties were properly notified about the hearing. A telephone hearing was held on July 22, 2014. Claimant participated. Employer participated through human resources generalist Pam Anderson.

ISSUE:

Did claimant voluntarily quit the employment with good cause attributable to employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full-time as a table games dealer since April 1, 2013, and was separated from employment on June 2, 2014. His last day of work was March 1, 2014. He missed three months of work due to personal medical issues and was denied Family and Medical Leave Act (FMLA) leave because he had not worked there long enough, but was granted a Prairie Meadows medical leave of absence from March 4 until he became eligible for FMLA on April 2. The information provided to the employer initially said he was unable to work due to colitis. Claimant presented a release to return to work without a notation of whether or not there were any restrictions. Human resource manager Jim Allpress asked him to get a release with a reference to restrictions. Claimant did so on May 20 and told Allpress he had heart surgery six weeks earlier. Because the reasons for the leave varied, Allpress asked him to provide more specific information about why he was away from work and the diagnosed medical reason for each portion of the absence, but did not want his complete medical records. The employer faxed the doctor's office requesting the information and was informed that claimant must sign a release of information. (Claimant's Exhibit A) Claimant resigned rather than providing the release to the physician or the employer. Allpress tried to get him to stay but claimant declined.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

The employer's request for basic medical information about the reasons for the leave period, after having been given conflicting information, was reasonable. The claimant's decision to quit rather than sign a release to provide general information was not for a good cause reason attributable to the employer. Benefits are denied.

DECISION:

The June 26, 2014, (reference 01) decision is affirmed. Claimant voluntarily left the employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/pjs